

JOINTLY SUBMITTED

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MARGARITA HUERTA,

CASE NO: 2:17-cv-01915-APG-CWH

Plaintiff,

vs.

BODEGA LATINA CORPORATION d/b/a
EL SUPER; DOES I-X, inclusive, and ROE
CORPORATIONS I-X, inclusive,

Defendants.

STIPULATION AND ORDER TO EXTEND DISCOVERY PLAN AND DEADLINES
(First Request)

Plaintiff Margarita Huerta and Defendant Bodega Latina Corporation, dba El Super, by and through their respective counsel, and pursuant to Local Rule 26-4, stipulate to modify their discovery plan as follows:

1. Plaintiff filed her Complaint on February 13, 2017 in the Eighth Judicial District Court, Case No. A-17-750960-C. Defendants filed their Answer and Jury Demand on March 6, 2017. This case was removed to the United States District Court on July 13, 2017.

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2. The parties held their F.R.C.P. 26 conference on August 9, 2017 and filed their Stipulated Discovery Plan and Scheduling Order on September 25, 2017. In this original plan, the parties agreed to the following dates:

Discovery Cut-Off:	04/09/2018
Last Day to Amend Pleadings:	01/09/2018
Expert Disclosure Deadline:	02/08/2018
Interim Status Report:	02/08/2018
Rebuttal Expert Disclosure:	03/12/2018
Dispositive Motions Deadline:	05/09/2018
Pre-Trial Order:	06/08/2018

The initial discovery plan was signed by United States Magistrate Judge Carl W. Hoffman on October 6, 2017.

3. In compliance with Local Rule 26-4, the parties provide the following information regarding the discovery status:

(a) Discovery Completed.

May 16, 2017	Defendant's Initial Disclosure of Documents and Witnesses
June 7, 2017	Defendant propounds written discovery and authorizations
June 20, 2017	Plaintiff's Initial Disclosure of Documents and Witnesses
July 6, 2017	Plaintiff responds to Defendant's Written Discovery
August 2, 2017	Defendant's First Supplemental Disclosures
August 14, 2017	Defendant responds to Plaintiff's Written Discovery
October 30, 2017	Defendant's Second Supplemental Disclosures
November 13, 2017	Third Supplemental Disclosures
January 5, 2018	Defendant deposed Plaintiff
January 9, 2018	Defendant's Fourth Supplemental Disclosures

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Discovery that remains to be completed:

Plaintiff seeks to depose two fact witnesses who are Defendant's employees and Defendant's Rule 30(b)(6) witness.

Defendant seeks to conduct deposition of Plaintiff's daughter who was at the store with her on the date of loss. Defendant seeks to have an expert inspect the Plaintiff's footwear. The parties need to designate experts and rebuttal experts. Much of this discovery however, will be largely dependent upon the testimony given at the depositions.

(b) Reasons why discovery was not completed:

The parties need additional time for discovery for the following reasons, among others:

- It took longer than was expected to gather all of Plaintiff's medical records and we are still gathering the medical records.
- At her deposition, Plaintiff disclosed a pre-existing condition which she claims explains her failure to report ankle pain at the scene.
- Plaintiff is scheduled to undergo additional surgery on her left foot to address a fracture caused by overuse.
- Depositions of store employees who were in the vicinity of the incident.
- Exchange of Expert Reports and Documents
- Exchange of Rebuttal Expert Reports and Documents
- Deposition of any Experts or Rebuttal Experts as needed

(c) Proposed schedule for completion of remaining discovery
(extension of deadlines by sixty (60) days):

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1	Discovery Cut-Off:	06/08/2018
2	Last Day to Amend Pleadings:	closed
3	Expert Disclosure Deadline:	04/09/2018
4	Interim Status Report:	04/09/2018
5	Rebuttal Expert Disclosure:	05/11/2018
6	Dispositive Motions Deadline:	07/09/2018
7	Pre-Trial Order:	08/07/2018

8 Approved as to form:

9	Dated this 26 th day of January 2018	Dated this 26 th day of January 2018
10	INJURY LAWYERS OF NEVADA	BAUMAN LOEWE WITT & MAXWELL, PLLC
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12	<i>/s/ Jared Anderson</i>	<i>/s/ Michael C. Mills</i>

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19 IT IS SO ORDERED.

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22 UNITED STATES DISTRICT COURT JUDGE,
23 UNITED STATES DISTRICT COURT MAGISTRATE JUDGE

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25 DATED: _____
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28 **STIPULATION AND ORDER TO EXTEND DISCOVERY PLAN AND DEADLINES**
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